

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOSE MENDEZ, *individually and on behalf of
all others similarly situated,*

Plaintiff,

v.

AVIS BUDGET GROUP, INC., *et al.*,

Defendants.

Civil Action No.: 11-6537 (JLL)

AMENDED ORDER

This matter comes before the Court by way of Plaintiff Jose Mendez's Renewed Motion for Class Certification. (ECF No. 226). For the reasons set forth in the Court's corresponding Opinion,

IT IS on this 21st day of November 2017,

ORDERED that the Plaintiff's Renewed Motion for Class Certification (ECF No. 226) is hereby GRANTED, subject to the following terms and conditions:

1. With respect to the Classes defined below, the Court finds and concludes that:
 - a. the Class Members are so numerous as to make joinder of them impracticable;
 - b. there are questions of law and fact common to the Classes, and such questions predominate over any questions affecting only individual Class Members;
 - c. Plaintiff's claims and the defenses asserted to those claims are typical of the claims of Class Members and the defenses asserted to those claims;
 - d. Plaintiff and his counsel have fairly and adequately protected the interests of Class Members throughout this action; and

- e. the proposed Class Action is superior to all other available methods for fairly and efficiently resolving these claims, considering
 - i. the interests of the Class Members in individually controlling the prosecution of separate actions;
 - ii. the extent and nature of the litigation concerning the controversy already commenced by Class Members;
 - iii. the desirability and undesirability of concentrating the litigation of these claims in a particular forum; and
 - iv. the difficulties likely to be encountered in the management of a class action; and it is further

ORDERED that the Class Period began on April 1, 2007 and ended on December 31, 2015; and it is further

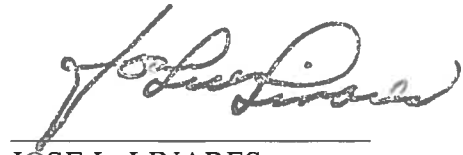
ORDERED that the Nationwide Class and the two additional subclasses are defined as follows:

- a. Nationwide Class: All United States residents who (1) rented an Avis or Budget vehicle in the United States during the Class Period and, (2) in connection with that rental, paid Avis or Budget or their agent HTA for their use of e-Toll.
- b. Florida Subclass: All United States residents who (1) rented an Avis or Budget vehicle in the State of Florida during the Class Period, and (2) in connection with that rental, paid Avis or Budget or their agent HTA for their use of e-Toll.
- c. New Jersey Subclass: All New Jersey residents who, (1) rented an Avis or Budget vehicle in the United States during the Class Period, and (2) in connection with that rental, paid Avis or Budget or their agent HTA for their use of e-Toll; and it is further

ORDERED that this Order hereby supersedes the Court's Order entered on

November 17, 2017 (ECF No. 244).

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jose L. Linares", written over a horizontal line.

JOSE L. LINARES
Chief Judge, United States District Court